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# Crime, Poverty, and the Family

By The Honorable William P. Barr

I don't have to tell you that things are at a critical juncture in our country when it comes to violent crime. We find violence now running at intolerably high levels. The heyday of violent crime was actually in the 1960s and 1970s, and I will describe it in more detail later. It peaked in 1980. It started going downward for a few years and now it is picking back up again. It has since 1986 drifted back up again, although the victimization rates today are still significantly lower than they were at its peak in 1980 and 1981.

I think the trend we are seeing in violent crime is driven basically by three factors. First, the crack epidemic that started in about 1986 has led to a high degree of violence. Second, we are seeing the results of some of the family policies of the 1960s and 1970s—the breakdown of the family—and we are starting to pay the price for that with a surge in juvenile crime and the emergence of gangs. And third, we are seeing the saturation of the criminal justice systems in the states and the states relapsing to revolving door justice as prisoners are serving less and less of their sentences and are being prematurely released. I think those are the main factors in this upward trend of violence.

Now, in public discourse about how to deal with this violence, we generally see two competing views. One is the traditional law enforcement approach, which says crime is caused by criminals and the way we deal with crime is to use aggressive enforcement policies and to deter or incapacitate criminals through incarceration. On the other hand, I think we see a lot said about what I call the social rehabilitation response to violent crime. That approach tends to see crime as caused by societal ills and seeks to deal with crime by remedying these ills through social programs. Proponents of this approach say that you can't really deal with violent crime by suppression, you have to attack it at its root causes.

**Combined Approach.** I think we need both approaches, properly understood, acting together. We do have to take aggressive steps today to deal with the criminals of today. But, we also have to take steps and we do need programs to prevent, as best we can, the youth of today from becoming the chronic offenders of tomorrow.

I think too many advocates of the root causes approach, however, give short shrift to the need for tough law enforcement. They just can't bring themselves to deal with criminals decisively and they tend to dismiss reliance on police and prosecutors and prisons as unenlightened. Many times I hear it said that we should be spending money on schools and housing and so forth rather than on police and prosecutors and prisons.

Well, today I want to make three points. First, I want to explain why I think a strong law enforcement approach has to be paramount. Second, I want to discuss what I think we in law enforcement can do to have an impact. And third, I want to spend a little time talking about social programs and the root causes approach to dealing with violent crime and what I think we have to do there.

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**Basic Reality.** So, let us turn first to the issue of why law enforcement must be paramount today. I think those that would give short shrift to suppression of crime through strong law enforcement measures, but would instead rely upon dealing with root causes, are missing a basic point—the basic reality that we see today—and that is, that in this pervasive atmosphere of fear and violence that we see in the inner cities particularly, even the best designed social programs cannot take root. The problem is that our efforts to deal with underlying social maladies are being strangled by crime itself. And I think it is increasingly clear that suppression of crime is a prerequisite for any of our social programs to be successful.

What good is it to build a housing project to see it taken over by drug traffickers and used as a stash house? Or what good is it to invest as much as we do in education and build model schools, only to see those schools become battlegrounds for gangs? The Green Housing Project in Chicago is a project where the federal government has spent a lot of money and has many innovative programs underway. But the principal concern of the mothers in that housing project is the safety of their children. They put their children to sleep in the bathtubs because of the bullets flying around, starting Thursday night and running through the weekend. So we have gotten to the age of armored cribs in the inner city.

I was down at the Prince Garden Apartments Project in Fort Worth. It had just been swept by the police, and the tenants of those apartments came out applauding the police. They held a barbecue for the police, pleading with them not to leave their housing project. One old lady came out and told me that she had been sleeping on the floor under her bed for months because of the bullets flying around the courtyard in the housing project.

**Crime Causing Poverty.** It was once a shibboleth that poverty causes crime, but today I think it is clear that crime is causing poverty. Businesses are driven from crime-ridden neighborhoods, taking jobs and opportunities with them. Potential investors and would-be employers are scared away. Existing owners are deterred from making improvements on their property, and as property values go down, owners disinvest in their property. I know a small contractor who tried to rehabilitate inner-city housing for low-income tenants. He had to give up because drug addicts would break in, rip out his improvements, and sell them for drug money. They would even come in regularly and take out all of the piping in the building and sell it for scrap. This contractor obviously couldn't continue like that, and like many others has just stopped his efforts to rehabilitate housing.

I think that what we saw in Los Angeles shows the difficulty we are going to have in rebuilding those communities. It shows the impact of crime on a community in fast motion, fast forward. But that same process is occurring around the country at a more deliberate speed.

So in short, I don't think you can have progress amid chaos. And the fact is that no urban program can arrest the decline in our inner cities, and no anti-poverty programs are going to take hold unless they are combined with and founded upon strong law enforcement measures that suppress violent crime.

That brings me to my second point, which I am going to dwell on at length: What do we do on the law enforcement side to suppress violent crime? How do we actually make reductions in violent crime? In my view, the evidence is absolutely clear that the vast bulk of violent crime is committed by a very small group of chronic offenders. Study after study shows that this tiny fraction of incorrigible, habitual offenders is responsible for hundreds and hundreds of crimes each while they are out on the street. A well known study in 1980, which followed 240 criminals, found that in an eleven-year period they committed over 500,000 crimes—an average of 190 crimes a year. And that corresponds to numerous other studies that show that kind of criminality. Another study of various state prisoners found that 25 percent of them committed 135 crimes a year; 10 percent of them committed 600 crimes a year. Every study shows a tiny cohort is responsible disproportionately for the vast amount of predatory violence.



We know the profile of these criminals. They start committing crimes as juveniles. They go right on committing crimes. They commit crimes as adults; they commit crimes when they are on parole, probation, or bail. With this type of habitual offender, the only time they are not committing crimes, at least prior to their fortieth birthday, is when they are in prison.

**Today's Conflagration.** And I think that in combatting violent crime, we in the criminal justice system must make it our primary goal to identify, to target, and to incarcerate this hard core element of chronic offenders. They should be incapacitated in custody for the time dictated by the public's safety, and not by other artificial restraints like prison space. I think this is the only approach in law enforcement that has any prospect for reducing levels of violent crime. No matter how well we tinker with and perfect our social rehabilitation programs, they are not going to take hold for decades and decades. We have crime on the streets right now. We have to put out the fire today. Yes, we can redesign houses so they are more fireproof in the future, but right now we have a conflagration and we have to deal with it.

I think the history of the last thirty years shows that this policy of incarceration works. The 1960s and 1970s, as you know, were the era of permissiveness in law enforcement. Fewer people were locked up. The people we put away did not serve long sentences. The incarceration rates dropped. At the end of the 1960s we had fewer people in prison than we did when the decade started. In the 1980s, we started turning things around. We built prisons at the federal level and the state level. We toughened up our criminal justice system. We started putting tougher federal judges on the bench. And during the 1980s we turned around the incarceration rates. We started out with 300,000 prisoners in state prisons at the beginning of the decade and we ended it with 800,000. The spiraling violent crime rate of the 1960s and 1970s came to an abrupt halt and plateaued out. But now it is going up again.

I think if we are going to reduce violent crime we have to finish the job we began in the 1980s and get those violent offenders off the street. Unfortunately, I think a lot of states are relapsing back to the 1960s and 1970s-style revolving door system. Today, prisoners on the average are serving only 37 percent of their sentences. In some states, like Texas, they say it is 22 days for every one year of sentence. In Florida, it is 18 percent of sentence served. That is because of prison capacity. Prisoners are being recycled back out onto the streets, after a very short period of time in prison, simply to make room for the next wave. The average sentence given for rape in this country, for example, is eight years; the average sentence served is three years. Three years is the average price of a rape. In many larger states, it is much lower than that. At least 30 percent of the murders in this country are committed by people who are on probation, parole, or bail at the time of murder. So, 6,500 of our fellow citizens are slaughtered each year by people who have been caught and then prematurely released back onto the streets.

I think stopping the revolving door is going to require three things. It is going to require more resources at both the federal and state level. It is going to require legal reform at both the federal and state level. And it is going to require an unprecedented degree of cooperation—the federal government, the state government, local enforcement working together to target the hardest core offenders so we get the most bang for the bucks.

The President has put substantial resources both into the federal effort and into state law enforcement, substantially increasing assistance to the states—notwithstanding some erroneous information handed out last week by political opponents — and substantially increasing the Justice Department budget over 60 percent in three years. And he has done this against the Congress that has been cutting back on his law enforcement requests. I think we are going to have to see the states also make that kind of commitment. My own view is that we are not spending enough on state and local law enforcement.

We have to get back to basics during times of tight budgets and spend money on things that count. We have to recall that protecting the public security is the first duty of government. That is why we submit ourselves to government in the first place, because of the security. The government has an obligation to perform that function, and right now they are not putting in the kind of investment that is needed.

**Astronomical Costs.** In fact, we are being penny wise and pound foolish, because the cost of not investing in law enforcement is much higher than the cost of investing. The cost of crime—just the economic cost—is \$92 billion a year. That doesn't count lives lost. It is lost to the criminal justice system in revolving doors—we just keep on spending our resources, spinning our wheels, essentially. There is the cost of private security. We spend astronomical amounts of money in private security in this country. We don't put the bars up around the prisoners, people who deserve to be behind bars, and private citizens pay to put bars up between themselves and prisoners, and they become the prisoners. And that is exactly what is happening. And there are a lot of other economic costs—lost sales, lost revenues, and so forth.

When you total it all up, it is clear that the cost of spending on an effective criminal justice system is far lower. There is one ATF study that crystallizes this. It costs an average of \$25,000 a year to keep someone in a prison cell. The ATF study of chronic firearms offenders in the federal system came up with the figure of over \$300,000 for each year those people were out on the street and the crimes they committed. So, I think that law enforcement is an investment well worth making in these tight budget times.

On the reform level, you are all aware that we accomplished a lot in the 1980s. We abolished parole at the federal level and gave strong minimum sentences and so forth. We had an unfinished agenda—the death penalty, habeas corpus reform, expansion of the good faith exception to the exclusionary rule—and those were in the federal crime bill that the President is pushing. But 95 percent of violent crime is at the state level. That, I think is where the real battle is. Unless we reform the state systems in the 1990s, as we did with the federal system in the 1980s, we are not going to make much progress in dealing with violent crime.

And so, reform is critical. Yesterday we issued a report with 24 specific recommendations on how state criminal justice systems can be improved. That report has wide backing in the law enforcement community and among victims' groups. I am optimistic that is going to be helpful to groups that are seeking improvement in the criminal justice systems in their states.

**Targeting Chronic Offenders.** I mentioned corporation and targeting our resources on the most hard-core offenders. We have an aggressive program in several areas where we are trying to do that. For example, the program that I just released our first report on today—our first annual report—is a trickle off program where we work with a combination of state and local enforcement to use tough firearms laws to take out chronic offenders. By giving them tough federal penalties without probation or parole we keep them off the streets. Over the past year, for example, we have prosecuted over 6,400 individuals; we are achieving an over 90 percent conviction rate. The average sentence without parole is seven years for these firearms offenders—I am talking about felons who use firearms. Three-time losers, people with three prior offenses, are averaging eighteen years without parole in the federal system. These are the worst of the worst—chronic offenders with extensive criminal history records who are caught in possession of a firearm.

That is just one example of targeting our resources to the chronic offender. We have similar programs underway against gangs across the country, and I think in the months ahead you will start to see more gangs being taken down in Philadelphia. In our pilot project and violent traffickers program, which we did in conjunction with the Philadelphia police department, a three-year program, we destroyed 38 gangs, 600 gang members. The leaders of those gangs are serving time in federal



penitentiaries right now without parole or probation. We also have similar operations going on with respect to chronic offender fugitives and with respect to criminal aliens.

**Root Causes.** What this all means is, if we put in sufficient resources and target our efforts at incapacitating prime offenders, if we put in more resources and we accomplish needed reform, and if we work together in joint programs that target our limited resources at the hardest core element, then I think we can have an impact on violent crime. I think we can provide a foundation upon which our efforts at social rehabilitation can be successful.

And that brings me to my third and final point. As I said at the outset, I think strong law enforcement ultimately should be combined with economic and social and moral rehabilitation of our communities, particularly in our inner-city neighborhoods. How do you go about the task of revitalizing them? What are the root causes of crime and what do you have to do to address them? What kind of social programs should we be pursuing? Now there are some who say that what we need is another massive round of spending on social welfare programs. And I think that is a mistaken view. We have poured trillions of dollars into social welfare programs over the last 25 years. The root-cause strategy is not something new. The root-cause strategy is precisely what we have been pursuing for 25 years.

Today, the government is spending, just on means-tested anti-poverty programs, record amounts —\$280 billion a year. This is up from \$9.6 billion in 1965 at the start of the Great Society. It is up from \$106 billion in 1980 and it has gone up significantly in real terms during President Bush's Administration. A record 4.77 percent of GDP now goes into means-tested programs. And that comes down to \$3,111 for every taxpayer —\$3,111 goes into anti-poverty spending. That doesn't take into account non-means tested root-cause programs. And what have we gotten for this investment? I think that any fair-minded observer would have to say that the overall results of this 25-year war on poverty have been disappointing. Certainly the track record of these programs in fighting poverty has been less than impressive.

Now frankly, I think the argument that poverty causes crime is too much overstated. I think poverty is probably a contributing factor toward crime. But standing alone, the correlation between poverty as a causal factor in crime is very weak. In 1950, for example, the poverty rate was about 32 percent; today, it is 13.5 percent. And yet in 1950 crime rates were much lower than they are today. And in the Great Depression, when about half of this nation's population lived below the poverty line, as today defined, crime was more lower than it is today. When you look at our cities on a grid basis, neighborhood by neighborhood, the fact is that some of our poorest neighborhoods have relatively low crime rates.

But even accepting poverty as a contributing factor to crime, the fact is that, despite our massive spending programs, hard-core poverty seems as stubborn as ever. The fact of the matter is, more progress was made on reducing poverty levels in the seven years preceding the Great Society than has been made since the Great Society. And most of the progress in reducing poverty levels was made in the years immediately following 1965 and during the early years of the Reagan revolution. Otherwise, results have been very disappointing. There seems to be a persistent class of about 10-15 million Americans for whom poverty and dependency is long term and even inter-generational. Our anti-poverty programs have made virtually no headway against this hard-core group.

But more significantly, the policies of the past 25 years have contributed directly to the breakdown of the family, particularly in the inner cities. Now, before the Los Angeles riots I said on the David Brinkley show that we were witnessing in inner-city crime the grim harvest of the Great Society. Senator Moynihan said that this was the most depraved statement he had ever heard from anybody. I stand by what I said.

The welfare policies we have been pursuing since 1965 contain perverse incentives that have contributed to the breakdown of the family by rewarding and promoting non-marriage and illegitimacy.

The numbers are truly staggering. The illegitimacy rate started to escalate rapidly after 1965. In 1965, 7.7 percent of American children were born to unwed mothers. Today the rate is 27 percent. For black children it has climbed to 65 percent, and in many inner-city areas it is over 80 percent. And this has been compounded by the skyrocketing divorce rates in our society. The number of divorces per year has tripled since 1960.

**Disintegration of the Family.** This family breakdown is a social and a moral catastrophe and is at the root of so many of the problems that beset our nation. In my view, the root cause of both crime and poverty is precisely this unraveling of the family. I think the evidence is clear that children from single-parent homes use drugs more heavily and commit more crimes throughout their lives than children from two-parent homes. Studies show that most gang members come from single-parent homes. Some 70 percent of juvenile delinquents in state reform institutions lived in single-parent homes or with someone other than their natural parents. One study found that 75 percent of adolescent murderers came from single-parent homes. Recent research by June O'Neill, formerly of the Urban Institute, finds that a black child in a single-parent home is more than twice as likely to engage in criminal activities as a black child from a two-parent home. Moreover, when that child is in a neighborhood where there are many other single-parent families, the child becomes three times more likely to engage in criminal activity. A 1988 study published in the *Journal of Research on Crime and Delinquencies* found that the rates of violent crime in a community correlated directly with the proportion of single-parent households in the community, but not the poverty or racial composition apart from family structure. In other words, they found that neither poverty nor race were significantly correlated to crime when family structure is taken into account.

Moreover, the disintegration of the family is the basic cause of long-term poverty and dependency in America today. Almost 70 percent of single-parent families with children and 80 percent of never-married mothers receive some form of government assistance. The poverty rate for female-headed households with children is at 44.5 percent, compared to 7.8 percent for married couples with children. Single-parent families account for 65 percent of poor families with children, and over half of all poor families. Studies show that it is primarily this group among the poor who remain mired in poverty and dependency over the long term.

So, that is the track record of the policies that we have been pursuing for 25 years—little headway against hard-core poverty and the contribution to the breakdown of the family, which in turn, spawns crime and further poverty. The idea that if we just increase our record spending levels by a few more tens of billions of dollars we will somehow achieve a breakthrough is, in my view, incredible.

**Reform Agenda.** The solution is not in the scale of the programs we have been pursuing, it is in their structure. We have to be a lot smarter about the kinds of growth that we pursue. And in this regard, from the very beginning of the Administration, this President has been pursuing a reform agenda—a set of new ideas, not business as usual, not pouring money into these discredited programs. His efforts seem to avoid the mistakes of the past. So rather than blindly following those programs that foster dependency and contain incentives that reward non-work and non-marriage and illegitimacy, the President has proposed programs that promote bottom-up growth and give real opportunity. And that is why he is proposing enterprise zones to bring jobs and investment into the inner cities and why he is proposing to give public housing residents the opportunity to purchase their homes. That is why he has been urging welfare reform to turn around the current system that rewards non-marriage and illegitimacy and to promote stable family life. Strong families in the long run will be more effective than big bureaucracies in revitalizing our inner-city communities. And he has been seeking to empower grass roots institutions, not bureaucracies. I think the best hope for genuine community renewal lies in fostering the rebirth of those traditional institutions which emerge from the communities themselves and are the best institutions for the moral formation of children—the family and the church and community groups.

Today many of the social experts who brought us the 1960s and 1970s, and are largely responsible for the fix we are in, are promoting a further set of half-baked solutions to our problems that, I think, send the wrong moral message and are equally counterproductive—like handing out needles to addicts and condoms to the kids in high school, and even below high school level.

**Sending the Right Message.** Our social programs, I think, have to send the right message if we want to turn around behavior. Now law enforcement sends a clear message about right and wrong, about personal responsibility, and about what a just society expects of its citizens. Our social programs must reinforce that message.

So, my message today really is threefold. First, social programs can't be pursued at the expense of, or in lieu of, tough law enforcement policies. On the contrary, law enforcement is the foundation upon which all else must be built and is an absolute prerequisite for social programs to be successful.

Second, the only way to reduce violent crime is to target and incapacitate chronic violent offenders through the tough policy of incarceration. While this Administration has acted vigorously at the federal level to help states deal with violent crime, the long-term solution is for the states to toughen up their own criminal justice systems and make adequate investments in them.

And third, pouring money into a new round of social welfare programs is not the answer. Instead, we have to be smarter about the way we pursue social welfare programs. We need programs that foster opportunity and not dependency, strengthen not undermine the family, and that sends the right not the wrong message.

These are difficult problems that grew up over decades. And now the people who helped contribute to the problems are holding stop watches on the solutions. The problems will not be solved overnight; it is going to be a long-run proposition. But I think that if we follow this agenda—the President's agenda—then we can make a real impact and make this a safer and more just society.

